

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 21-26, 59, and 63-72 were pending in the application. Claims 21 and 64 have been amended, and claims 73 and 74 have been added. Claims 22, 59, 63, 65, and 72 have been withdrawn from consideration. Claims 21, 23-26, 64, 66-71, 73, and 74 are presented for reconsideration.

Applicants' undersigned representative thanks the Examiner for the courtesies extended during the interview on June 15, 2005, during which the undersigned representative discussed with the Examiner claims 21 and 64 and the documents applied in the Office Action. Applicants have amended claim 64 in a manner consistent with the discussion had with the Examiner at the interview. Claim 21 has been further amended to clarify that when the object holder is in the fully retracted, storage position, a majority of the cavity is under the seating surface and a minority of the cavity is not under the seating surface. Ms. Michelle Kile also had a telephonic interview with the Examiner on May 17, 2005 to clarify the contents of the Office Action.

As noted in the Office Action, applicants responded to the election requirement by choosing claims 21, 23-26, 64, and 66-71 for prosecution.

The Office Action objects to the drawings, stating that they must show the cavity and sidewall. Applicants have submitted proposed amendments to Figures 2 and 11 to overcome this objection.

The Office Action objects to the specification, stating that pages 16-17 do not "disclose the object holder includes a sidewall to define the cavity and the sidewall being accessible when the object holder is in the retracted, storage position in order to provide a handgrip for use in changing position of the object holder." Office Action at 4. Applicants have amended the specification at pages 9 and 17 to overcome this objection.

Claims 21, 23, 24, 26, 64, 66-68, 70, and 71 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,550,862 (Kain). In view of the amendments presented herewith, Applicants request withdrawal of this rejection.

Each of independent claims 21 and 64, as amended, recites a child seat including “a seat portion including a base having a seating surface,” and “an object holder including a cavity for receiving and holding an object.” Claim 21 recites that the object holder has “a sidewall to define the cavity,” and “when the object holder is in the fully retracted, storage position, . . . a majority of the cavity is under the seating surface, a minority of the cavity is not under the seating surface, and a portion of the sidewall that defines the minority of the cavity is accessible in order to provide a handgrip for use in moving the object holder to the extended, in use position.” Claim 64 recites that “when the object holder is in the fully retracted, storage position, . . . only a portion of the object holder is within the base such that a first portion of the cavity remains extended from the base and a second portion of the cavity is retracted within the base.”

Applicants respectfully submit that Kain does not teach or suggest amended claim 21. For example, Kain does not teach or suggest the recited child seat having an object holder attached to a base such that “when the object holder is in the fully retracted, storage position, . . . a majority of the cavity is under the seating surface, a minority of the cavity is not under the seating surface, and a portion of the sidewall that defines the minority of the cavity is accessible in order to provide a handgrip for use in moving the object holder to the extended, in use position.” In Kain, the cup receiver 20 does not have “a majority of the cavity [that] is under the seating surface” when the cup receiver 20 is in the fully retracted, storage position. See Figure 1 of Kain. Even if the space 84 of Kain (see Figure 4) could be considered the cavity, it fails to have a majority of the cavity that is under the seating surface and a minority of the cavity that is not under the seating surface when in the fully retracted, storage position, as required by claim 21.

Applicants respectfully submit that Kain does not teach or suggest amended claim 64. For example, Kain does not teach or suggest the recited child seat having “an object holder including a cavity for receiving and holding an object,” and being attached to a base such that

“when the object holder is in the fully retracted, storage position, . . . only a portion of the object holder is within the base such that a first portion of the cavity remains extended from the base and a second portion of the cavity is retracted within the base.” When the cup receiver 20 of Kain is in the fully retracted, storage position, it does not have a second portion of its cavity retracted within the base. See Figure 1 of Kain. Even if the space 84 of Kain could be considered the cavity, it fails to have a portion that extends from the base and a portion that is retracted within the base, when in the fully retracted, storage position.

Consequently, independent claims 21 and 64 are patentable over Kain. Dependent claims 23, 24, 26, 66-68, 70, and 71 are patentable over Kain for at least the same reason as claims 21 and 64, and they recite additional limitations.

Claims 21, 25, 26, 64, 67, 69, and 70 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,527,008 (Schutter). In view of the amendments presented herewith, Applicants request withdrawal of this rejection.

Each of independent claims 21 and 64, as amended, recites a “child seat for seating a child within a vehicle” and having “a seat portion including a base having a seating surface,” and “an object holder including a cavity for receiving and holding an object.” Those claims further recite that “the object holder is attached to the base such that the object holder is movable between an extended, in use position and a fully retracted, storage position,” “wherein, when the object holder is in the fully retracted, storage position, the object holder can be retracted no further into the base.” Claim 21 recites that “when the object holder is in the fully retracted, storage position, . . . a majority of the cavity is under the seating surface, a minority of the cavity is not under the seating surface, and a portion of the sidewall that defines the minority of the cavity is accessible in order to provide a handgrip for use in moving the object holder to the extended, in use position.” Claim 64 recites that “when the object holder is in the fully retracted, storage position, . . . only a portion of the object holder is within the base such that a first portion of the cavity remains extended from the base and a second portion of the cavity is retracted within the base.”

Applicants respectfully submit that Schutter does not teach or suggest amended claims 21 and 64. For example, Schutter does not teach or suggest a child seat for seating a child within a vehicle. Moreover, Schutter does not teach or suggest a child seat having an object holder attached to a base such that when the object holder is in the fully, retracted storage position, “a majority of the cavity is under the seating surface, a minority of the cavity is not under the seating surface, and a portion of the sidewall that defines the minority of the cavity is accessible in order to provide a handgrip for use in moving the object holder to the extended, in use position” (claim 21), or “only a portion of the object holder is within the base such that a first portion of the cavity remains extended from the base and a second portion of the cavity is retracted within the base” (claim 64). By comparison, Schutter discloses an object holder that moves in and out of a housing mountable, for example, to an automobile console. In contrast to the present invention, when the object holder of Schutter is in the “fully, retracted storage position,” its cavity is completely disposed within the housing.

Thus, independent claims 21 and 64 are patentable over Schutter. Dependent claims 25, 26, 67, 69, and 70 are patentable over Schutter for at least the same reason as claims 21 and 64, and they recite additional limitations.

Claims 73 and 74 have been added. They depend from claims 21 and 24 and are patentable for at least the same reasons as those claims.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is believed that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to

Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 2 and 11 are being presented as new formal drawing sheets to be substituted for the corresponding previously submitted drawing sheets. Figures 2 and 11 have been amended. Appended to this amendment are annotated copies of the previous drawing sheets which have been marked to show changes presented in the replacement sheets of the drawings.

Title: CHILD SEAT WITH OBJECT HOLDER

Inventors: Bruce WILLIAMS et al.

Appl. No.: 10/691,618

ANNOTATED MARKED-UP DRAWING

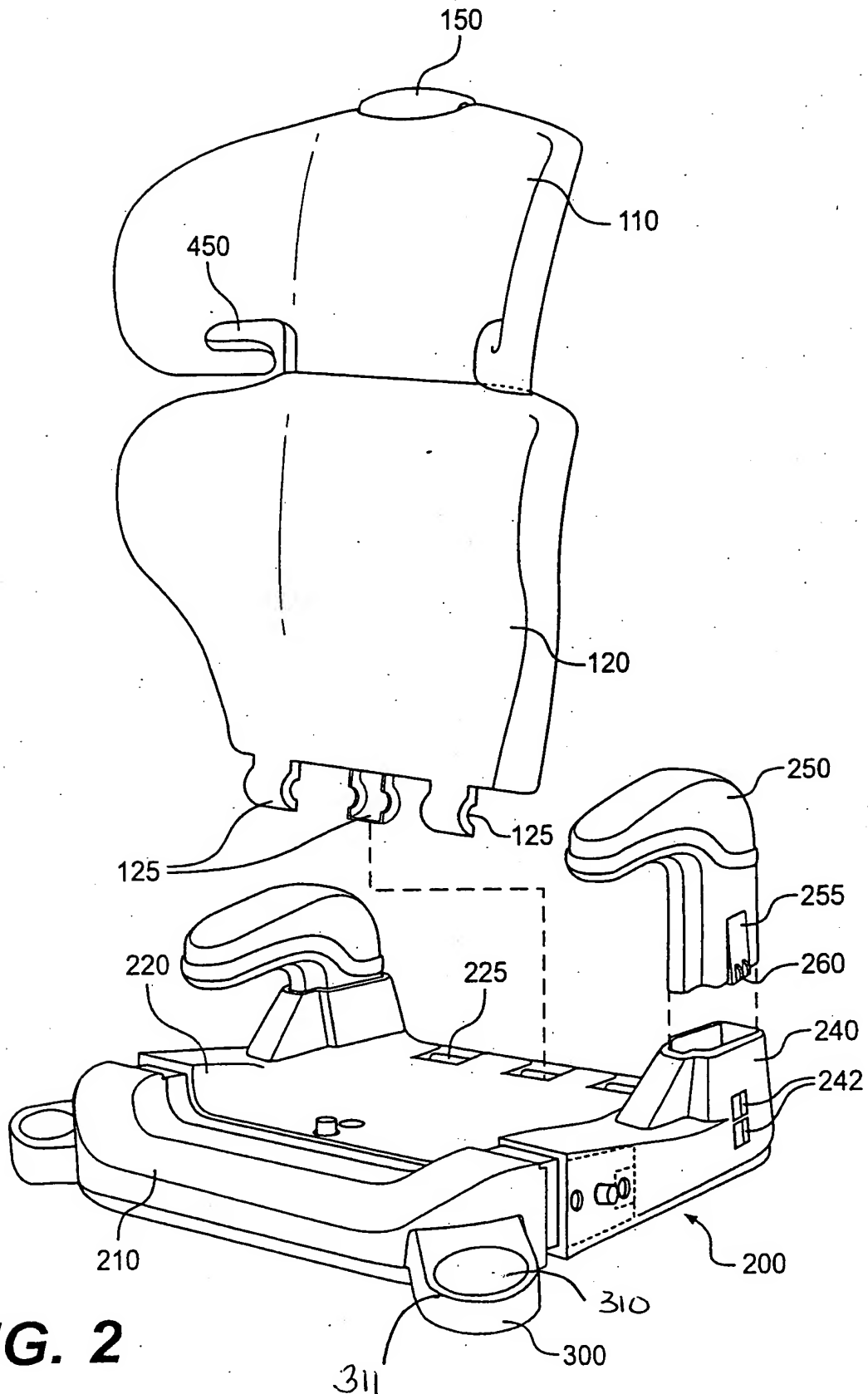


FIG. 2

Title: CHILD SEAT WITH OBJECT HOLDER

Inventors: Bruce WILLIAMS et al.

Appl. No.: 10/691,618

ANNOTATED MARKED-UP DRAWING

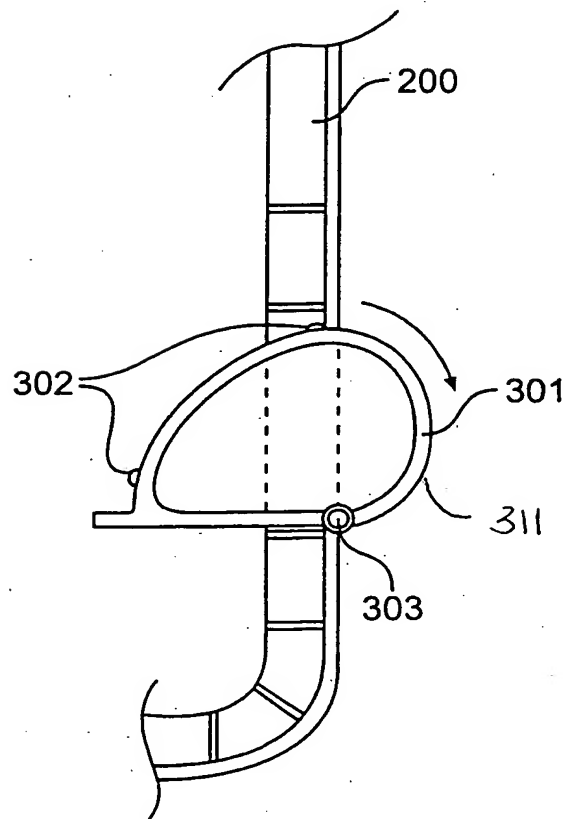


FIG. 11